

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

FIRST REGULAR SESSION
FIFTY-NINTH LEGISLATURE

SIXTY-FIRST LEGISLATIVE DAY
FRIDAY, MARCH 9, 2007

Senate Chamber

President Pro Tempore Geddes called the Senate to order at 9:30 a.m.

Roll call showed all members present except Senators Burkett, Cameron, Gannon, Malepeai, Siddoway, and Stennett, absent and excused.

Prayer was offered by Chaplain Goebel.

The Pledge of Allegiance was led by Rachael Hansen, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

Senator Stennett was recorded present at this order of business.

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of March 8, 2007, was read and approved as corrected.

DARRINGTON, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

Senators Burkett, Cameron, Gannon, Malepeai, and Siddoway were recorded present at this order of business.

March 9, 2007

The JUDICIARY AND RULES Committee reports that **S 1202, S 1203, S 1204, S 1205, S 1206, S 1207, S 1208, S 1209,** and **SCR 119** have been correctly printed.

DARRINGTON, Chairman

S 1202 was referred to the State Affairs Committee.

S 1203 was referred to the Commerce and Human Resources Committee.

S 1204, S 1205, S 1206, S 1207, S 1208, and **S 1209** were referred to the Finance Committee.

SCR 119 was referred to the Tenth Order of Business, Motions and Resolutions, and ordered held at the Secretary's desk for one legislative day.

March 8, 2007

The JUDICIARY AND RULES Committee reports that **S 1067** has been correctly enrolled.

DARRINGTON, Chairman

The President Pro Tempore signed Enrolled **S 1067**, and ordered it transmitted to the House for the signature of the Speaker.

March 9, 2007

The FINANCE Committee reports out **H 266, H 269, H 277, H 278, H 279,** and **H 280** with the recommendation that they do pass.

CAMERON, Chairman

H 266, H 269, H 277, H 278, H 279, and **H 280** were filed for second reading.

March 8, 2007

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 191** with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

HILL, Chairman

H 191 was filed for second reading.

March 8, 2007

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 154, H 177, H 204,** and **H 215** with the recommendation that they do pass.

HILL, Chairman

H 154, H 177, H 204, and **H 215** were filed for second reading.

March 8, 2007

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 140, H 101,** and **H 137** with the recommendation that they do pass.

ANDREASON, Chairman

H 140, H 101, and H 137 were filed for second reading.

March 8, 2007

The COMMERCE AND HUMAN RESOURCES Committee reports out **H 132** with the recommendation that it do pass and with the recommendation that it be placed on the Consent Calendar.

ANDREASON, Chairman

H 132 was filed for second reading.

March 8, 2007

The TRANSPORTATION Committee reports out **H 150** and **H 200** with the recommendation that they do pass.

McGEE, Chairman

H 150 and **H 200** were filed for second reading.

March 8, 2007

The LOCAL GOVERNMENT AND TAXATION Committee reports out **H 240, H 178**, as amended, and **H 239** with the recommendation that they do pass.

HILL, Chairman

H 240, H 178, as amended, and **H 239** were filed for second reading.

March 9, 2007

The FINANCE Committee reports out **S 1204, S 1205, S 1206, S 1207, S 1208**, and **S 1209** with the recommendation that they do pass.

CAMERON, Chairman

S 1204, S 1205, S 1206, S 1207, S 1208, and **S 1209** were filed for second reading.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eighth Order of Business.

Messages from the Governor

March 8, 2007

The Honorable James E. Risch
President of the Senate
Idaho Legislature

Dear Mr. President:

I have the honor to inform you that I have signed today and

am transmitting to the Secretary of State the following Senate Bill, to wit:

S 1032 and S 1066

As Always - Idaho, *Esto Perpetua*
/s/ C. L. 'Butch' Otter
Governor

The correspondence was ordered filed in the office of the Secretary of the Senate.

The Senate advanced to the Ninth Order of Business.

Messages from the House

President Pro Tempore Geddes called Senator Darrington to the Chair.

March 8, 2007

Mr. President:

I transmit herewith **H 255, H 228**, as amended, **H 105**, as amended, **H 167**, as amended, **H 53**, as amended, **H 187**, as amended, **HCR 24**, as amended, and **H 249**, as amended, which have passed the House.

JUKER, Chief Clerk

H 255, H 228, as amended, **H 105**, as amended, **H 167**, as amended, **H 53**, as amended, **H 187**, as amended, **HCR 24**, as amended, and **H 249**, as amended, were filed for first reading.

March 8, 2007

Mr. President:

I return herewith Enrolled **S 1001, S 1002, S 1003, S 1012, S 1015, S 1018, S 1043, S 1049, S 1050, S 1055, S 1057, S 1058, S 1060, S 1061, S 1084, S 1086, S 1167, S 1168, S 1176**, and **S 1177** which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **S 1001, S 1002, S 1003, S 1012, S 1015, S 1018, S 1043, S 1049, S 1050, S 1055, S 1057, S 1058, S 1060, S 1061, S 1084, S 1086, S 1167, S 1168, S 1176**, and **S 1177** were referred to the Judiciary and Rules Committee for transmittal to the Office of the Governor.

March 8, 2007

Mr. President:

I return herewith Enrolled **SCR 105, SCR 108, SCR 109**, and **SCR 110**, which have been signed by the Speaker.

JUKER, Chief Clerk

Enrolled **SCR 105, SCR 108, SCR 109**, and **SCR 110**, were referred to the Judiciary and Rules Committee for transmittal to the Office of the Secretary of State.

March 8, 2007

Mr. President:

I transmit herewith Enrolled **H 60, H 156, H 43, H 44, H 58, H 116, H 27** and **H 5** for the signature of the President.

JUKER, Chief Clerk

The Acting President announced that Enrolled **H 60, H 156, H 43, H 44, H 58, H 116, H 27** and **H 5** will be held at the Secretary's desk for the signature of the President Pro Tempore and, when so signed, will be returned to the House.

The Senate advanced to the Tenth Order of Business.

Motions and Resolutions

Having voted on the prevailing side and proper notice having been served, Senator Little requested unanimous consent that the vote by which **H 28** failed to pass the Senate be now reconsidered.

Senator Little's request was granted by unanimous consent, and **H 28** was placed before the Senate for reconsideration.

On request by Senator Little, granted by unanimous consent, **H 28** was referred to the Fourteenth Order of Business, General Calendar.

The Acting President announced the State Affairs Committee report relative to the Gubernatorial appointment of Mike Bosen was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by President Pro Tempore Geddes, seconded by Senator Little, the Gubernatorial appointment of Mike Bosen as a member of the Idaho State Racing Commission was confirmed by voice vote.

The Acting President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The Acting President announced that **HCR 13** was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Langhorst, that **HCR 13** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Werk. Total - 31.

NAYS--Bilyeu, Burkett, Malepeai, Stennett. Total - 4.

Total - 35.

Whereupon the Acting President declared **HCR 13** adopted, title was approved, and the resolution ordered returned to the House.

The Acting President announced that **HCR 25** was before the Senate for final consideration.

Moved by Senator McKenzie, seconded by Senator Stennett, that **HCR 25** be adopted. The question being, "Shall the resolution be adopted?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **HCR 25** adopted, title was approved, and the resolution ordered returned to the House.

The Acting President announced that **HCR 22** was before the Senate for final consideration, the question being, "Shall the resolution be adopted?"

On motion by Senator Burkett, seconded by Senator Coiner, **HCR 22** was adopted by voice vote, title was approved, and the resolution ordered returned to the House.

The Senate advanced to the Eleventh Order of Business.

Introduction, First Reading and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1210 BY FINANCE COMMITTEE AN ACT

APPROPRIATING MONEYS FROM THE IDAHO MILLENNIUM INCOME FUND AND DIRECTING THE STATE CONTROLLER TO TRANSFER MONEYS FOR THE PURPOSES AND PROGRAMS SPECIFIED FOR FISCAL YEAR 2008; APPROPRIATING MONEYS FROM THE IDAHO MILLENNIUM INCOME FUND TO THE STATE TREASURER FOR THE PURPOSES AND PROGRAMS SPECIFIED FOR FISCAL YEAR 2008; CLARIFYING THE USE OF FUNDS PROVIDED TO THE STATE BOARD OF EDUCATION FOR A MEDICAL EDUCATION STUDY; AND PROVIDING THAT CERTAIN UNEXPENDED AND UNENCUMBERED MONEYS SHALL BE REVERTED TO THE IDAHO MILLENNIUM INCOME FUND.

S 1211 BY FINANCE COMMITTEE AN ACT

APPROPRIATING MONEYS TO THE DIVISION OF BUILDING SAFETY FOR FISCAL YEAR 2008; LIMITING THE NUMBER OF FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN UNEXPENDED AND UNENCUMBERED FUND BALANCES; DIRECTING THE DISTRIBUTION OF THE FUNDING FOR EMPLOYEE COMPENSATION; AND DIRECTING ALLOCATION OF SALARY SAVINGS.

S 1212
BY FINANCE COMMITTEE
 AN ACT

APPROPRIATING MONEYS TO THE DEPARTMENT OF PARKS AND RECREATION FOR FISCAL YEAR 2008; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; REAPPROPRIATING CERTAIN FUNDS FOR CAPITAL OUTLAY; AUTHORIZING THE USE OF MONEYS FOR THE EASTERN IDAHO STATE PARK PURCHASE; APPROPRIATING MONEYS TO THE LAVA HOT SPRINGS FOUNDATION FOR FISCAL YEAR 2008; LIMITING THE NUMBER OF AUTHORIZED FULL-TIME EQUIVALENT POSITIONS; DIRECTING THE DISTRIBUTION OF THE FUNDING FOR EMPLOYEE COMPENSATION; AND DIRECTING THE ALLOCATION OF SALARY SAVINGS.

S 1210, S 1211, and S 1212 were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

H 255, by State Affairs Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 228, as amended, by State Affairs Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

H 105, as amended, by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

H 167, as amended, by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

H 53, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the State Affairs Committee.

H 187, as amended, by Transportation and Defense Committee, was introduced, read the first time at length, and referred to the Transportation Committee.

HCR 24, as amended, by Education Committee, was introduced, read at length, and referred to the Education Committee.

H 249, as amended, by Ways and Means Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

H 257, H 258, and H 259, by Appropriations Committee, were read the second time at length and filed for third reading.

S 11621, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

H 124, H 125, as amended, and **H 174**, as amended, by Judiciary, Rules, and Administration Committee, were read the second time at length and filed for third reading.

H 194, by State Affairs Committee, was read the second time at length and filed for third reading.

H 31, by Environment, Energy, and Technology Committee, was read the second time at length and filed for third reading.

H 231 and H 232, by Education Committee, were read the second time at length and filed for third reading, Consent Calendar.

H 238, by State Affairs Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 147, by Local Government Committee, was read the second time at length and filed for third reading, Consent Calendar.

H 166, as amended, by Health and Welfare Committee, was read the second time at length and filed for third reading.

H 130, as amended in the Senate, and **H 25**, as amended in the Senate, by Resources and Conservation Committee, were read the second time at length and filed for third reading.

S 1157, as amended, by State Affairs Committee, was read the second time at length and filed for third reading.

S 1136, as amended, by Resources and Environment Committee, was read the second time at length and filed for third reading.

S 1159, as amended, by Judiciary and Rules Committee, was read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1161** were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1161 was read the third time at length and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1161** passed, title was approved, and the bill ordered transmitted to the House

Suspension of Rules

On request by Senator Davis, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1136**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1136, as amended, was read the third time at length and placed before the Senate for final consideration. Senators Cameron and Stennett arose as co-sponsors of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1136**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

Suspension of Rules

On request by Senator Stegner, granted by unanimous consent, all rules of the Senate interfering with the immediate passage of **S 1159**, as amended, were suspended, and the portions of Section 15, Article 3, of the Constitution of the State of Idaho requiring all bills to be read on three several days were dispensed with, this being a case of urgency.

S 1159, as amended, was read the third time at length and placed before the Senate for final consideration. Senator Davis arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1159**, as amended, passed, title was approved, and the bill ordered transmitted to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Fifth Order of Business, Presentation of Petitions, Resolutions, and Memorials.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business, Reports of Standing Committees.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

S 1192 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1192** passed, title was approved, and the bill ordered transmitted to the House.

S 1193 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1193** passed, title was approved, and the bill ordered transmitted to the House.

S 1194 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1194** passed, title was approved, and the bill ordered transmitted to the House.

S 1195 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1195** passed, title was approved, and the bill ordered transmitted to the House.

S 1197 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Fulcher, Gannon, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Schroeder, Stegner, Stennett, Werk. Total - 29.

NAYS--Bair, Davis, Geddes, Siddoway. Total - 4.

Absent and excused--Bastian, Richardson. Total - 2.

Total - 35.

Whereupon the Acting President declared **S 1197** passed, title was approved, and the bill ordered transmitted to the House.

S 1198 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1198** passed, title was approved, and the bill ordered transmitted to the House.

S 1199 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Fulcher arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Schroeder, Stegner, Stennett, Werk. Total - 32.

NAYS--Siddoway. Total - 1.

Absent and excused--Burkett, Richardson. Total - 2.

Total - 35.

Whereupon the Acting President declared **S 1199** passed, title was approved, and the bill ordered transmitted to the House.

S 1200 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Werk arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **S 1200** passed, title was approved, and the bill ordered transmitted to the House.

President Pro Tempore Geddes returned to the Chair.

S 1201 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Hill disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **S 1201** passed, title was approved, and the bill ordered transmitted to the House.

H 234 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Keough arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **H 234** passed, title was approved, and the bill ordered returned to the House.

H 235 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **H 235** passed, title was approved, and the bill ordered returned to the House.

H 236 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Bair arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the President Pro Tempore declared **H 236** passed, title was approved, and the bill ordered returned to the House.

The President Pro Tempore called Senator Bair to the Chair.

H 193 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Darrington arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Pursuant to Senate Rule 39(H), Senator Bilyeu disclosed a possible conflict of interest under applicable law.

Roll call resulted as follows:

AYES--Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 33.

NAYS--None.

Absent and excused--Andreason, Gannon. Total - 2.

Total - 35.

Whereupon the Acting President declared **H 193** passed, title was approved, and the bill ordered returned to the House.

H 126 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Jorgenson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **H 126** passed, title was approved, and the bill ordered returned to the House.

H 127 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Richardson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **H 127** passed, title was approved, and the bill ordered returned to the House.

H 128 was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Hill arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES--Andreason, Bair, Bastian, Bilyeu, Broadsword, Burkett, Cameron, Coiner, Corder, Darrington, Davis, Fulcher, Gannon, Geddes, Goedde, Hammond, Heinrich, Hill, Jorgenson, Kelly, Keough, Langhorst, Little, Lodge, Malepeai, McGee, McKague, McKenzie, Pearce, Richardson, Schroeder, Siddoway, Stegner, Stennett, Werk. Total - 35.

Whereupon the Acting President declared **H 128** passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, all Senate bills were placed at the head of the Third Reading Calendar, followed by House bills amended in the Senate, followed by House bills.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote the Senate adjourned at 12 noon until the hour of 9:30 a.m., Monday, March 12, 2007.

ROBERT L. GEDDES, President Pro Tempore

Attest: RUSTI HORTON, Assistant Secretary